

## **ORDINANCE 14-04**

### **AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF WESTFIELD, HAMILTON COUNTY, INDIANA**

**WHEREAS**, the Westfield City Council (the “Council”) has the authority and desires to annex lands into the municipality as defined by IC 36-4-3; and,

**WHEREAS**, one hundred percent (100%) of the owners of the parcels proposed for annexation as identified in Exhibit “A” and Exhibit “B” (the “Annexation Area”) have filed a petition with the Council; and,

**WHEREAS**, the Council has conducted a public hearing as required by law with regard to the annexation of the Annexation Area; and,

**WHEREAS**, the Council has adopted a fiscal plan for the annexation of the Annexation Area in accordance with IC 36-4-3-3.1 (Resolution 14-103); and,

**WHEREAS**, the Annexation Area meets the contiguity requirements of IC 36-4-3-1.5; and,

**WHEREAS**, the Council now finds that the statutory criteria for annexation have been met; and,

**NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT THE OFFICIAL CITY MAP ADOPTED BY REFERENCE IN SECTION 2-515 OF THE WESTFIELD CODE BE MODIFIED AS FOLLOWS:**

**Section 1.** The Annexation Area, generally located adjacent to the existing corporate limits, north of 159<sup>th</sup> Street and west of Little Eagle Creek Avenue is hereby annexed to and declared to be a part of the City.

**Section 2.** The Annexation Area is to further include the contiguous public highways and rights-of-way of the public highways which are adjacent to the annexation area per IC 36-4-3-2.5.

**Section 3.** The Annexation Area is hereby assigned to City Council District “4” and shall become a part thereof immediately upon the effective date of this Ordinance.

**Section 4.** This Ordinance shall be in full force and effect upon its passage by the Council, its publication, and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinances or parts thereof in conflict herewith are hereby repealed. Any portion of the Ordinance later to be found void or invalid shall not affect the remaining portions of this Ordinance.

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD,  
HAMILTON COUNTY, INDIANA THIS \_\_\_\_\_ DAY OF FEBRUARY, 2014.

WESTFIELD CITY COUNCIL  
HAMILTON COUNTY, INDIANA

**Voting For**

**Voting Against**

**Abstain**

\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
Steven Hoover

\_\_\_\_\_  
Steven Hoover

\_\_\_\_\_  
Steven Hoover

\_\_\_\_\_  
Robert L. Horkay

\_\_\_\_\_  
Robert L. Horkay

\_\_\_\_\_  
Robert L. Horkay

\_\_\_\_\_  
Charles Lehman

\_\_\_\_\_  
Charles Lehman

\_\_\_\_\_  
Charles Lehman

\_\_\_\_\_  
Robert J. Smith

\_\_\_\_\_  
Robert J. Smith

\_\_\_\_\_  
Robert J. Smith

\_\_\_\_\_  
Cindy L. Spoljaric

\_\_\_\_\_  
Cindy L. Spoljaric

\_\_\_\_\_  
Cindy L. Spoljaric

\_\_\_\_\_  
Robert W. Stokes

\_\_\_\_\_  
Robert W. Stokes

\_\_\_\_\_  
Robert W. Stokes

ATTEST:

\_\_\_\_\_  
Cindy J. Gossard, Clerk-Treasurer

I hereby certify that ORDINANCE 14-04 was delivered to the Mayor of Westfield  
on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, at \_\_\_\_\_ m.

\_\_\_\_\_  
Cindy J. Gossard, Clerk-Treasurer

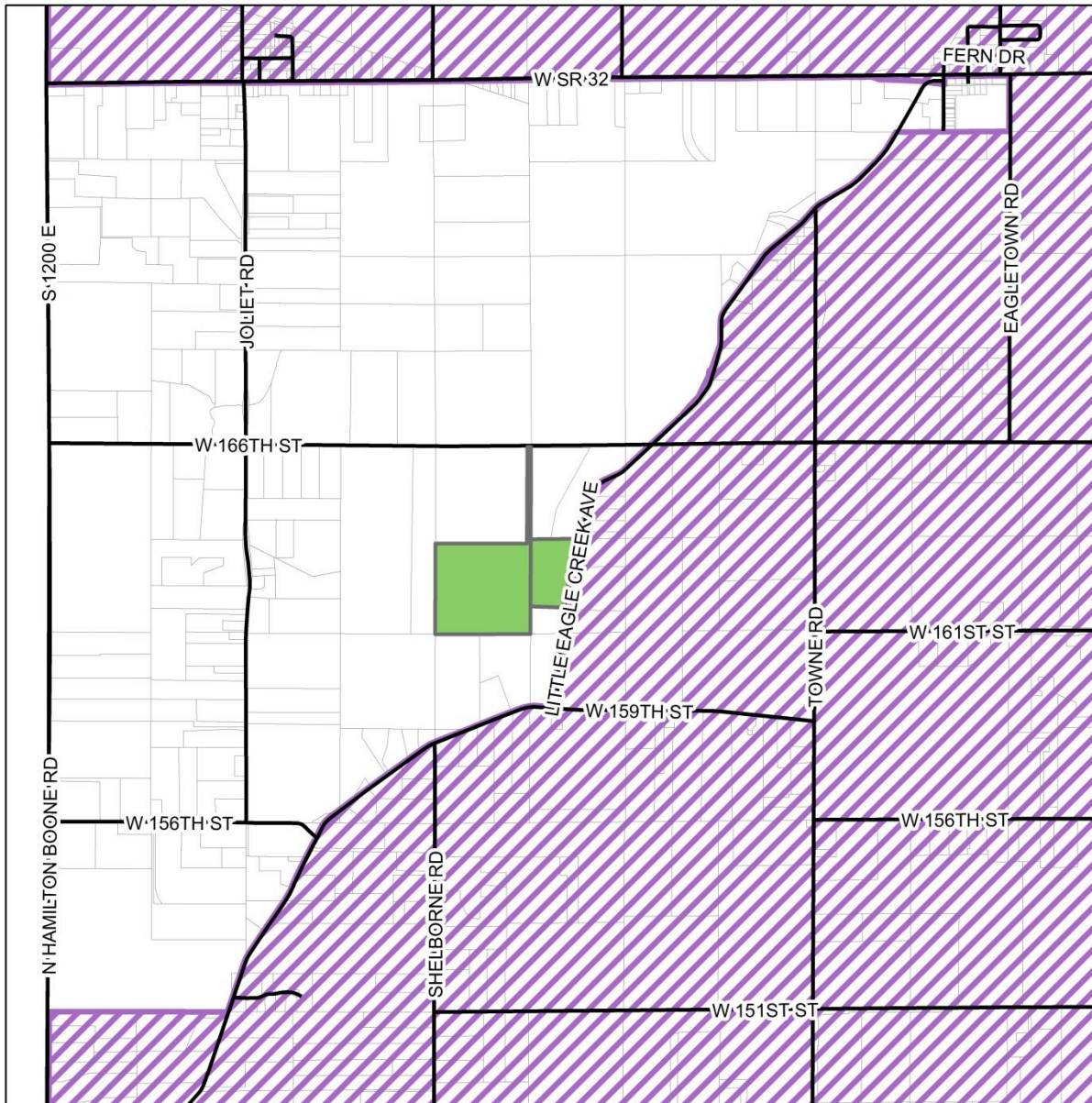
I hereby APPROVE Ordinance 14-04  
this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
J. Andrew Cook, Mayor

I hereby VETO Ordinance 14-04  
this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

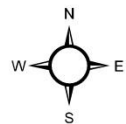
\_\_\_\_\_  
J. Andrew Cook, Mayor

## Exhibit A: Parcel Location Map



### Legend

- |   |   |
|---|---|
|  Parcels to be Annexed |  Parcels |
|  Existing City Limits  |  Streets |



**Exhibit “B”**  
**Legal Descriptions of Property to be Annexed**

This description includes two (2) parcels of land:

**Parcel No. 08-09-08-00-00-008.000**

**Parcel No. 08-09-08-00-00-001.000**

Beginning at the NW1/4 of the NE1/4 of Section 7, Township 18N and Range 3E.

Direction: S 0-4-58 E	Distance: 35’ to the point of beginning
Direction: S 0-22-1 W	Distance: 1349.037’
Direction: S 90-0-0 W	Distance: 1278.8’
Direction: S 0-8-12 W	Distance: 1266.614’
Direction: N 89-45-31 E	Distance: 619.746’
Direction: N 89-45-31 E	Distance: 712.086’
Direction: N 0-23-56 E	Distance: 384.909’
Direction: S 87-54-27 E	Distance: 451.061’
Direction: S 88-44-34 E	Distance: 35.476’
Direction: N 13-44-44 E	Distance: 580.131’
Direction: N 13-49-42 E	Distance: 410.519’
Direction: S 89-21-56 W	Distance: 36.152’
Direction: S 89-24-21 W	Distance: 405.012’
Direction: S 89-24-27 W	Distance: 278.525’
Direction: N 0-5-50 E	Distance: 1268.642’
Direction: N 0-5-9 E	Distance: 20.13’
Direction: N 0-0-44 W	Distance: 34.999’
Direction: S 89-26-12 W	Distance: 48.696’ back to the point of beginning containing 53.48 acres more or less.

**ALSO INCLUDING:**

In addition to the aforementioned, the annexed area shall include those public highways and rights-of-way of public highways required to be annexed by Indiana Code § 36-4-3-2.5, including the relevant portions of Little Eagle Creek Avenue and 166<sup>th</sup> Street.